UNITED STATES DISTRICT COURT

for the

Middle District of North Carolina

Request for Modifying the Conditions or Term of Supervision with Consent of the Offender (Probation Form 49, Waiver of Hearing Is Attached)

Name of Offender: DOUGLAS SCOTT PRUITT, JR Case Number: 1:04CR251-1

Name of Sentencing Judicial Officer: The Honorable James A. Beaty, Jr.

Date of Original Sentence: March 14, 2005

Original Offense: Possessed Firearm in Commerce After Felony Conviction in violation of 18 U.S.C.

§§ 922(g)(1) & 924 (a)(2).

Original Sentence: 41 months, 3 years supervised release

Type of Supervision: Supervised Release Date Supervision Commenced: September 27, 2007

Date Supervision Expires: September 26, 2010

Assistant U.S. Attorney: Lisa B. Boggs Defense Attorney: Gregory Davis

PETITIONING THE COURT

[]	To extend the term of supervision for _	years, for a total term of	years.
[X]	To modify the conditions of supervision	n as follows:	_ •

The defendant shall cooperatively participate in a program of the Residential Re-Entry Center (RRC) until discharged by the center director and/or probation officer, but no later than 180 days from admission.

Pursuant to the enactment of the Antiterrorism and Effective Death Penalty Act of 1996, intermittent confinement is available as a condition of supervised release (though previously not available), and community confinement is not currently available, apparently as an unintentional result of renumbering available release conditions and excepted conditions. The Court should consult the discussion cited at USSG §§ 5D1.3(e)1, and 5F1.1, and 18 U.S.C. § 3583(d) when considering the Court's authority to impose such a condition.

CAUSE

Mr. Pruitt has tested positive for marijuana on three occasions since his release to supervision. He has also failed to maintain regular employment.

Upon his release to supervision, Mr. Pruitt established a residence with his girlfriend, April Franks, at 105 Wendy Lane, Reidsville, NC 27320. Mr. Pruitt remains at that address, and on January 26, 2008, Mr. Pruitt and Ms. Franks were married. Mr. Pruitt reports that Ms. Franks is approximately 3 months pregnant with his child.

Re: DOUGLAS SCOTT PRUITT, JR

Prior to his release from the Residential Re-Entry Center (RRC), Mr. Pruitt was employed as a laborer with Patriot Staffing in Greensboro, NC. Upon release from the RRC, he quit his job with Patriot Staffing due to transportation difficulties. Mr. Pruitt remained unemployed until November 27, 2007, when he obtained a position as a laborer with Diversco, located in Eden, NC. Mr. Pruitt worked in this capacity until January 14, 2008, when he was involuntarily terminated for not showing up for work. On January 16, 2008, the probation officer met with Mr. Pruitt at his home and inquired about his employment. Mr. Pruitt initially reported that work was going well, but after further questioning, admitted that he had quit going into work.

Since his release to supervision, Mr. Pruitt has tested positive for, and admitted the use of marijuana on three occasions (September 30, 2007, November 22, 2007 and December 31, 2007). Mr. Pruitt was instructed to contact TASC for his treatment needs in Rockingham County. Mr. Pruitt did not complete a course of treatment at TASC, and a treatment referral will be made upon entry into the RRC.

Mr. Pruitt has always been polite and cooperative towards the probation officer, and this officer believes that 180 days of RRC placement would work as both a sanction for Mr. Pruitt's violation conduct as well as a stabilizing influence for him.

Respectfully submitted,

James W. Long U.S. Probation Officer

Approved by:

Dale R. Cauble

Supervising U.S. Probation Officer

2.15.08

Date

THE COURT ORDERS

No Action

The Extension of Supervision as Noted Above

The Modification of Conditions as Noted Above

Other

Signature of Judicial Officer

Date

JWL/Jwl

UNITED STATES DISTRICT COURT

for the Middle District of North Carolina Waiver of Hearing to Modify Conditions

of Probation/Supervised Release or Extend Term of Supervision

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel" I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision.

The defendant shall cooperatively participate in a program of the Residential Re-Entry Center (RRC) until discharged by the center director and/or probation officer, but no later than 180 days from admission.

Witness

James W. Long

U.S. Probation Officer

Signed: _

Douglas Scott Pruitt, Jr Probationer/Releasee

Date